



# MEMORANDUM

## COMMUNITY DEVELOPMENT DEPARTMENT

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**To:** North 40 Advisory Committee

**From:** Sandy L. Baily, Director of Community Development *SLB*

**Subject:** North 40 Advisory Committee Meeting

**Date:** October 15, 2013

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The attached exhibit (Exhibit 4) was received after the Advisory Committee (AC) packet was distributed.

Exhibits (Previously distributed with the October 15, 2013, AC agenda packet):

1. Notes from the meeting of September 24, 2013 regarding "commercial"
2. Urban Decay Analysis Draft Table of Contents
3. Revised Draft North 40 Specific Plan

Exhibits distributed with this Desk Item

4. Correspondence from Lee Quintana, received October 15, 2013

To: Sandy Bailey  
The North 40 Specific Plan Advisory Committee

From: Lee Quintana

Attached are my comments on the North 40 Draft Specific Plan

RECEIVED  
OCT 15 2013  
TOWN OF LOS GATOS  
PLANNING DIVISION

## COMMENTS ON THE DRAFT NORTH 40 SPECIFIC PLAN.

- I. Comments of Substantive issues
- II. Comments on Format and Organization
- III. Attachments
  - Attachment 1. Copy of Draft Plan with Comments
  - Attachment 2. Sustainability Ideas

### I. SUBSTANTIVE COMMENTS:

#### **Council Vision or Council Vision Statement:**

The Plan should reflect the Town's vision not just the Council's. Please change references in the text to "Council Vision" and "Council Vision Statement" to "Vision Statement"

#### **Zoning**

##### *PD Zoning:*

- Can proposed projects still develop under a PD? Or is the Specific Plan intended to simplify the development process?
- Zoning within the Specific Plan: The plan states that zoning designations will be determined at the time a development application is processed. But I believe it also states that Planning Districts replace traditional single zoning. Please clarify: Will the zoning be the Planning District? If not what specific zoning districts would be consistent with the Specific Plan Area

##### *Specific Plan Overlay*

- An overlay implies that the area within the Specific Plan could develop either under the current CH General Plan Land Use Designation or under the Specific Plan. Is that the Intent?

#### **CUP's:**

- CUP's are intended to regulate a specific use that might otherwise not be allowed but is acceptable with certain conditions. If the use ends the CUP is no longer valid and any new use is subject to the provisions of the Zoning Code.
- The used identified in Table 2-1 fit the above description.
- The uses described in do not. Here the CUP is being used not to grant an exception to a height standard. an exception to a standard.

#### **Flexibility of the Plan:**

On the surface the Plan sets specific regulations that shall or should be met. However, the Plan contain a high degree of built in flexibility, limited standards, and multiple exceptions to those standards.

#### **View Corridors and Height Exception and View Corridors for the Preservation of Hillside Views:**

- The preservation of views of the hillsides is a repeated thyme in both the General Plan and the North 40 Specific Plan.

- Page 2.4 f. states that findings must be made to approval exceptions for height. Finding iii is specific to views of the hillside-ridge line, not the view corridor or hillside views. It is also interesting that the wording of this finding reads like a standard not a finding
- The Plan identifies only two locations along Los Gatos Blvd where views of the ridge-lines
- No figure identifies view corridors through the site that need to be preserved
- No figure shows the area within the Plan where height exceptions cannot be granted in order to preserve the hillside views
- There is no discussion or definition of the width or verticality of view corridors or the extent hillside view that should be protected.
- There is cap on the maximum height that could be granted with a CUP

### **Sustainability:**

- Given that sustainability was one of the major themes of the 2020 General Plan update, this section is very weak.
- The Plan contains only guidelines that include only or mostly items that are already required by existing regulations or required by outside agencies.
- The Town is missing an opportunity to show leadership by embracing sustainability in the North 40 in a meaningful way, rather than just playing lip service to it.

### **Suggestions:**

See Attachment 2: Sustainability Ideas: ideas that could be included in the plan that would contribute to both reducing resource use and reducing the production of greenhouse gases associated with the production of energy, water delivery and the processing of resources.

### **Open Space/landscaping:**

The section on Open Space in Chapter 2.5.2 is repetitive and very confusing. As I understand it open space/landscaping fall into the following categories:

- Open space = green space + hardscape
- Green space:
  - Green space includes grass and landscaping (p.2-12 i) - it includes parks, bioretention, common and private residential green space, planters..., landscaped parkways, and parking lot landscaping. (and I would add: orchard plantings)
  - Trees planted in tree wells is not counted as green space
- Hardscape:
  - Hardscape includes (p. 2-12 ii) paved areas for pedestrians including pathways, plazas, courtyards, sidewalks and pedestrian paseos.
  - Roads and parking areas are not counted as green space
- Public Open Space:
  - Includes open space areas open to public use, such as plazas, pathways, sidewalks, paseos.
  - They can be public or privately owned (with a public easement)
- Common Open Space refers to areas in residential development that is shared by all units.

•Private Open Space refers to areas in residential developments that are for the use of a individual unit.

**Suggestion:**

Reorganizing the open space section of Chapter 2 as following:

- Define Open Space (see above) (could be in sidebar)
- List the Open Space Standards
- Delete 2.5.4 Types of Open Space:
  - Would be incorporated into definitions and standards Perimeter
  - Buffer/Perimeter Overlay Zones - move to 2.31 Land Use
  - Common Recreation Amenities - would be incorporated into definitions of Open Space
  - Orchard space Planting - would be included in definition of Green Space

## **II. COMMENTS ON FORMAT AND ORGANIZATION:**

### **General Comments**

The following are some of the reasons I believe the Specific Plan is difficult to read, difficult to to follow and difficult to understand. They are focused primarily on the Plan's organization, format and level of detail:

- Sequence of chapters does not follow a logical progression
- Individual chapters do not follow a logical progression
- Format varies between of individual chapters
- Information is repetitive. The same information is often restated in different chapters, within the same chapter or even within the same paragraph.
- The amount and detail of information provided is sometimes overwhelming
- Long, complex sentences, sentences encompassing several ideas and/or lists without parallel construction often muddy the intended meaning
- Figures may be difficult to read due to the font style or size used, or may not convey the intended information due to an inappropriate scale
- Pictures often are poor examples of what the picture intends to illustrate, and/or there are several figures illustrating the same point
- Placement of pictures, figures, and tables often disrupt the flow of the text
- It is often difficult to distinguish between what is a standard and what is a guideline and how either differs from a strategy
- The definitions of the various types (landscaped, open space/green space, common, private, public etc. is confusing. Better definitions are needed.
- While the Specific Plan contains many variables, the Draft as a whole makes the Plan appear more complex than it actually is.

### **Suggestions:**

- Reorganize Chapter 1
- Severely condense Chapter 5
- Reorganize and condense the Open Space Section of Chapter 2 (see comments in II. Substantive Comments below)
- Eliminate duplication of information
- Modify fonts on figures
- Use more lists and bullets<sup>3</sup>
- See comments in Draft

## ATTACHMENT 1: SUSTAINABILITY IDEAS

- Require electric car chargers in mixed use developments and non-residential uses.
- Require wiring for electric car chargers in residential development
- Require solar shades on the top floor of parking garages (alternatively require the entire top floor to be wired for solar but require the installation over only a portion of the top floor of a garage)
- Require surface parking lots to install solar shades - this not only produces electricity but decreases absorption of heat by the blacktop and keeps the parked cars cooler - all sustainability pluses.
- Require road surface materials to contain recycled materials
- Require "cool roofs"
- Require "code plus" insulation for outside walls, interior wall and floors of residential units as well as between units or units above an other than residential use. (Benefit: A quieter living environment, reduced energy requirements and costs).
- Require the STC rating for windows and doors be calculated with the windows partially open and require a higher STC rating than is currently required (decreases penetration of noise from the exterior, which is often a problem in mixed use developments). It also would reduce energy required for air conditioning and heating
- Require protection of solar access
- Require instillation of rainwater recovery and reuse systems
- Require the use of recycled and permeable materials for roadways, "white streets"
- Require tankless water heaters
- Use motion sensor lights in low use areas such as garages, outdoor areas to supplement the use of low intensity lighting.
- While adding to the initial expense these things are far less costly at the time of construction than as a retrofit. In addition retrofits also usually as effective.